



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Appl. No.** : 09/865,441  
**Applicant** : Doug GRUMMAN  
**Filed** : May 29, 2001  
**Title** : AUTOMATIC CONFIGURATION OF PERFORMANCE  
MANAGEMENT TOOLS  
**TC/A.U.** : 2192  
**Examiner** : Yigdall, Michael  
**Docket No.** : 10002687-1  
**Customer No.** : 022879

**Mail Stop Petitions**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**PETITION TO CORRECT CORRESPONDENCE**

**ADDRESS IN PENDING APPLICATION UNDER 37 CFR 1.181(b)**

Sir:

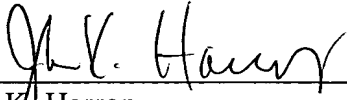
This petition requests that the above-identified application be properly associated with Customer No. 022879 in view of a mismatched Power of Attorney filed in the above-identified application. To support this claim, attached is a copy of the original Declaration and Power of Attorney (Exhibit A) for the above-identified application which establishes Customer No. 022879 as the proper and correct address of correspondence and a copy of the misfiled Power of Attorney (Exhibit B) in connection with Application Serial No. 09/957,673, which is not associated with Customer No. 022879 or the above-identified application. Furthermore, it appears that the office mishandled the Power of Attorney (Exhibit B) by mismatching it with the above-identified application by error. Also enclosed to support this claim are transmittal forms and a Power of Attorney (Exhibit C) downloaded from the U.S. Patent and Trademark Office PAIR system confirming that Application Serial No. 09/957,673 corresponds to an entirely different patent application which is not associated with Customer No. 022879 or the above-identified application.

Accordingly, in view of this request and the enclosed Exhibits A, B and C evidencing the error in handling the Power of Attorney by the office and represented under Exhibits B and C, applicants request the Commissioner to associate the above-identified application with **Customer No. 022879** in due course and that all future correspondence for the instant application be sent to the current correspondence address which is:

**HEWLETT-PACKARD COMPANY**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

Respectfully submitted,

Date: May 26, 2005

  
\_\_\_\_\_  
John K. Harrop  
Registration No. 41,817  
**Andrews Kurth LLP**  
1701 Pennsylvania Ave, N.W.  
Suite 300  
Washington, DC 20006  
Tel. (202) 662-3050  
Fax (202) 662-2739

## PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATIONATTORNEY DOCKET NO. 10002687-1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC CONFIGURATION OF PERFORMANCE MANAGEMENT TOOLS**

the specification of which is attached hereto unless the following box is checked:

( ) was filed on \_\_\_\_\_ as US Application Serial No. or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

**Foreign Application(s) and/or Claim of Foreign Priority**

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: _____ NO: _____
			YES: _____ NO: _____

**Provisional Application**

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE

**U. S. Priority Claim**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (patented/pending/abandoned)

**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 022879Place Customer  
Number Bar Code  
Label hereSend Correspondence to:  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400Direct Telephone Calls To:  
T. Grant Ritz  
(970) 898-0697

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Doug GRUMANN Citizenship: USAResidence: Citrus Heights, CA 95610Post Office Address: same as aboveInventor's Signature: [Signature] Date: 22 MAY 01

JUN-29-2004 15:24 FROM:

70:96023826070

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Sean Mashir, et alApplication No./Patent No.: 09/057,673Filed/Issue Date: September 20, 2003Entitled: **NON-INVASIVE AUTOMATIC OFFSITE PATCH FINGERPRINTING AND UPDATING SYSTEM AND METHOD**PatchLink Corporationa corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014304, Frame 0147, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 6, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.003)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Sean Mashir  
Date  
(480) 970-1025  
Telephone number

Sean Mashir  
Typed or printed name  
[Signature]  
Signature  
Chairman and CEO, PatchLink Corporation  
Title

The collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 37 CFR 1.22 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. There will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1420, Alexandria, VA 22313-1420. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1420, Alexandria, VA 22313-1420.

If you need assistance in completing the form, call 1-800-PTO-0118 and select option 2.

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\*\* TOTAL PAGE.05 \*\*

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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	09287673
	Filing Date	September 20, 2001
	First Named Inventor	Sean Moshir, et al.
	Art Unit	2123
	Examiner Name	Hosang Namyoo Ba
	Attorney Docket Number	46233.0180

I hereby appoint:

☒ Practitioners at Customer Number 10333

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number.  

OR

☐ Firm or Individual Name

Address

Address

City State Zip

Country

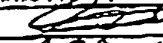
Telephone Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 2.73(b) is enclosed. (Form PTO/SB/06)

**SIGNATURE of Applicant or Assignee of Record**

Name	Sean Moshir, Chairman and CEO, PatchLink Corporation		
Signature			
Date	6/29/04	Telephone	(480) 970-1025

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.32. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2122



**POWER OF ATTORNEY and  
CORRESPONDENCE  
ADDRESS INDICATION FORM**

Application Number 09/587,673 09/957,673  
Filing Date September 20, 2001  
First Named Inventor Sean Mosble, et al.  
Art Unit 2122  
Examiner Name Hoang Nguyen Ba  
Attorney Docket Number 46233-0100

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I hereby appoint:

☒ Practitioners at Customer Number

20322

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number.

OR

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95).

SIGNATURE of Applicant or Assignee of Record

Name

Sean Mosble, Chairman and CEO, PatchLink Corporation

Signature

Date

6/29/04

Telephone (480) 970-1025

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.

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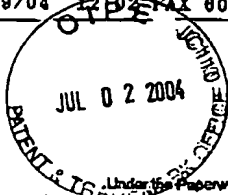
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### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Sean Moshir, et al.

Application No./Patent No.: 09/257,673

Filed/Issue Date: September 20, 2001

Entitled: NON-INVASIVE AUTOMATIC OFFSITE PATCH FINGERPRINTING AND UPDATING SYSTEM AND METHOD

PatchLink Corporation

a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011304, Frame 0147, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 8, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Sean Moshir  
Date  
(480) 970-1025  
Telephone number

Sean Moshir  
Typed or printed name  
[Signature]  
Signature  
Chairman and CEO, Patchlink Corporation  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CORRESPONDENCE  
ADDRESS INDICATION FORM

Application Number	09/397,673
Filing Date	September 20, 2001
First Named Inventor	Sean Mohler, et al.
Art Unit	2123
Examiner Name	Heather Newby Esq.
Attorney Docket Number	46253.0180

I hereby appoint:

☒ Practitioners at Customer Number

10333

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number.

OR

☐ Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/061)

## SIGNATURE OF Applicant or Assignee of Record

Name

Sean Mohler, Chairman and CEO, PatchLink Corporation

Signature

Date

Telephone (460) 970-1015

NOTE: Signatures of all the inventor or assignees of record of the entire interest or their representative(s) are required. Submit multiple

Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.51 and 1.52. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND PAGES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Seam Moshir, et al.

Application No./Patent No.: 09/257,673

Filed/Issue Date: September 20, 2001

Entitled: NON-INVASIVE AUTOMATIC OFFSITE PATCH FINGERPRINTING AND UPDATING SYSTEM AND METHOD

PatchLink Corporation, a

corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012301, Frame 0147, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

1. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ or for which a copy thereof is attached.
2. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ or for which a copy thereof is attached.
3. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 8, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.03.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Seam Moshir  
Date  
(480) 970-1025  
Telephone number

Seam Moshir  
Typed or printed name  
[Signature]  
Signature  
Chairman and CEO, PatchLink Corporation  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain a benefit by the patent which is to be filed (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is required to take 12 minutes in complete, including gathering products, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22303-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22303-1450.

If you need assistance in completing this form, call 1-800-PTO-6199 and select option 2.

**Snell & Wilmer**L.L.P.  
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Phoenix, Arizona 85004-2202  
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JUL 1 2004

## FACSIMILE TRANSMISSION

DATE: July 1, 2004

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TIME OUT:

TO:

Name	Fax Number	Phone Number
Commissioner of Patents United States Patent and Trademark Office	(703) 872-9306	(703) 305-2365

FROM: Shahpar Shahpar

PHONE: 602-382-6306

MESSAGE:

Attached is a copy of the Power of Attorney and Correspondence Address Indication Form and Statement Under 37 CFR 3.73(b) for Serial No. 09/957,673

RECEIVED  
NOV 23 2004  
TC 1700

ORIGINAL DOCUMENT: Will be sent

NUMBER OF PAGES (Including Cover):

4

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CLIENT MATTER NO.: 46233.0100

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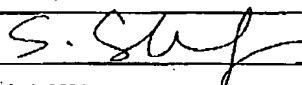
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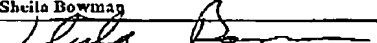
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	Filing Date	September 20, 2001
	First Named Inventor	Moshir, et al.
	Art Unit	2122
	Examiner Name	Antony Nguyen-Ba
Total Number of Pages in This Submission	Attorney Docket Number	46233.0100

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